

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:17-cv-03521-JHS**

SUSMAN v. THE GOODYEAR TIRE & RUBBER COMPANY et al

Assigned to: HONORABLE JOEL H. SLOMSKY

Cause: 28:1332 Diversity-Product Liability

Date Filed: 08/07/2017

Date Terminated: 03/22/2018

Jury Demand: None

Nature of Suit: 365 P.I.: Personal Inj. Prod.

Liability

Jurisdiction: Diversity

Plaintiff

RYSTA LEONA SUSMAN

*BOTH INDIVIDUALLY AND AS LEGAL
GUARDIAN OF SHANE ALLEN LOVELAND*

represented by **DANIEL JOSEPH SHERRY , JR.**

EISENBERG, ROTHWEILER, WINKLER,
EISENBERG & JECK P.C.

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

JACOB SUMMERS

represented by **DANIEL JOSEPH SHERRY , JR.**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

**THE GOODYEAR TIRE & RUBBER
COMPANY**

represented by **JUSTIN EDWARD KERNER**

DLA PIPER LLP

1650 MARKET ST 49TH FL

PHILADELPHIA, PA 19103

215-656-2454

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JAYNE RISK

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LLP

ONE LIBERTY PL

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215-656-3328

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Defendant

THE GOODYEAR TIRE & RUBBER COMPANY
TERMINATED: 03/08/2018

Defendant

THE GOODYEAR TIRE & RUBBER COMPANY
TERMINATED: 03/08/2018
doing business as
GOODYEAR TIRE & RUBBER COMPANY

Defendant

THE GOODYEAR TIRE & RUBBER COMPANY
TERMINATED: 03/08/2018
doing business as
GOODWEAR TIRE & RUBBER COMPANY

Defendant

GOODWEAR TIRE & RUBBER COMPANY
TERMINATED: 03/08/2018

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GOODYEAR TIRE & RUBBER COMPANY
TERMINATED: 03/08/2018

Defendant

GOODYEAR TIRE & RUBBER COMPANY

TERMINATED: 03/08/2018

doing business as

THE GOODYEAR TIRE & RUBBER
COMPANY

Defendant

**GOODYEAR TIRE & RUBBER
COMPANY**

TERMINATED: 03/08/2018

doing business as

GOODWEAR TIRE & RUBBER COMPANY

Date Filed	#	Docket Text
08/07/2017	I 1	NOTICE OF REMOVAL by THE GOODYEAR TIRE & RUBBER COMPANY from Court of Common Pleas of Philadelphia, case number 170500306, with Certificate of Service. (Filing fee \$ 400 receipt number 163782) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Declaration, # <u>3</u> Certificate of Service, # <u>4</u> Civil Cover Sheet, # <u>5</u> Case Management Track Form, # <u>6</u> Designation Form)(rt) (Entered: 08/08/2017)
08/08/2017	I 2	MOTION to Transfer <i>the Action to the United States District Court for the District of Nebraska</i> filed by GOODYEAR TIRE & RUBBER COMPANY. Memorandum in Support with Certificate of Service. (Attachments: # <u>1</u> Memorandum Memorandum in Support, # <u>2</u> Text of Proposed Order Proposed Order)(KERNER, JUSTIN) (Entered: 08/08/2017)
08/11/2017	I 3	ANSWER to Complaint by GOODYEAR TIRE & RUBBER COMPANY, New Matter, Certificate of Service.(RISK, JAYNE) Modified on 8/14/2017 (md). (Entered: 08/11/2017)
08/16/2017	I 4	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Certificate of Service Certificate of Service)(KERNER, JUSTIN) (Entered: 08/16/2017)
08/21/2017	I 5	MOTION to Stay <i>Briefing Associated with The Goodyear Tire and Rubber Company's Motion to Transfer</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN.Plts Motion to Stay Briefing. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(SHERRY, DANIEL) (Entered: 08/21/2017)
08/21/2017	I 6	LETTER re RESPONSE in Opposition re <u>5</u> MOTION to Stay Briefing Associated with The Goodyear Tire and Rubber Company's Motion to Transfer filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Certificate of Service Certificate of Service)(RISK, JAYNE) Modified on 8/22/2017 (md). (Entered: 08/21/2017)
08/22/2017	I 7	REPLY BRIEF in Support of <u>5</u> MOTION to Stay Responsive Briefings to the Goodyear Tire and Rubber Company's Motion to Transfer, filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit A)(SHERRY, DANIEL) Modified on 8/23/2017 (md). (Entered: 08/22/2017)
08/23/2017	I 8	MOTION to Remand to <i>the Court of Common Pleas of Philadelphia</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN.. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Memorandum, # <u>3</u> Certificate of Service, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9)(SHERRY, DANIEL) (Entered: 08/23/2017)
08/24/2017	I 9	ORDER THAT PLAINTIFFS' MOTION TO STAY BRIEFING ASSOCIATED WITH THE MOTION TO TRANSFER (DOC. NO. 5) IS GRANTED. ALL BRIEFING REGARDING THE MOTION TO TRANSFER (DOC. NO. 2) IS STAYED PENDING THE OUTCOME OF

		PLAINTIFFS' MOTION TO REMAND (DOC. NO. 8). SIGNED BY HONORABLE JOEL H. SLOMSKY ON 8/24/2017.8/24/2017 ENTERED AND COPIES MAILED TO UNREP AND E-MAILED.(ahf) (Entered: 08/24/2017)
09/05/2017	<u>i</u> 10	RESPONSE in Opposition re <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Declaration of Daniel T. Young, # <u>2</u> Declaration of Justin Kerner, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit C (continued part 2), # <u>7</u> Exhibit C (continued part 3, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit E (continued part 2), # <u>11</u> Exhibit F, # <u>12</u> Exhibit G, # <u>13</u> Exhibit H, # <u>14</u> Exhibit I, # <u>15</u> Exhibit J, # <u>16</u> Exhibit K, # <u>17</u> Exhibit L, # <u>18</u> Exhibit M, # <u>19</u> Exhibit N, # <u>20</u> Exhibit O, # <u>21</u> Exhibit P, # <u>22</u> Exhibit Q)(KERNER, JUSTIN) (Entered: 09/05/2017)
09/18/2017	<u>i</u> 11	Original Record together with certified copy of docket entries received from Court of Common Pleas of PHILADELPHIA COUNTY. (rf,) (Entered: 09/18/2017)
09/19/2017	<u>i</u> 12	REPLY to Response to Motion re <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service)(SHERRY, DANIEL) (Entered: 09/19/2017)
09/20/2017	<u>i</u> 13	ORDER THAT MOTION HEARING SET FOR 10/4/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 9/19/17. 9/20/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 09/20/2017)
09/20/2017	<u>i</u> 14	LETTER re RESPONSE in Opposition re <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia filed by THE GOODYEAR TIRE & RUBBER COMPANY. (KERNER, JUSTIN) Modified on 9/21/2017 (md). (Entered: 09/20/2017)
09/26/2017	<u>i</u> 15	MOTION to Strike <u>12</u> Reply to Response to Motion filed by THE GOODYEAR TIRE & RUBBER COMPANY.. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Text of Proposed Order, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(KERNER, JUSTIN) (Entered: 09/26/2017)
09/28/2017	<u>i</u> 16	ORDER THAT HEARING CURRENTLY SCHEDULED FOR 10/4/17 AT 2:00PM IS CANCELLED. MOTION HEARING RESCHEDULED FOR 10/19/2017 02:00 PM. CLERK OF COURT SHALL DOCKET THE ATTACHED LETTER. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 9/27/17. 9/28/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 09/28/2017)
09/28/2017	<u>i</u> 17	Letter to the Honorable Joel H. Slomsky from Daniel J. Sherry. (rf,) (Entered: 09/28/2017)
10/02/2017	<u>i</u> 18	RESPONSE in Opposition re <u>15</u> MOTION to Strike <u>12</u> Reply to Response to Motion filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service)(SHERRY, DANIEL) (Entered: 10/02/2017)
10/18/2017	<u>i</u> 19	ORDER THAT MOTION HEARING SET FOR 10/19/17 AT 2:00PM IS CANCELLED AND RESCHEDULED FOR 10/30/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 10/18/17. 10/18/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 10/18/2017)
10/30/2017	<u>i</u> 20	ORDER THAT MOTION HEARING SET FOR 11/13/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 10/30/17. 10/30/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 10/30/2017)
11/13/2017	<u>i</u> 21	Minute Entry for proceedings held before HONORABLE JOEL H. SLOMSKY Motion Hearing held on 11/13/17 re <u>15</u> MOTION to Strike <u>12</u> Reply to Response to Motion filed by THE GOODYEAR TIRE & RUBBER COMPANY, <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia filed by JACOB SUMMERS, RYSTA LEONA SUSMAN, <u>2</u> MOTION to Transfer the Action to the United States District Court for the District of Nebraska filed by

		GOODYEAR TIRE & RUBBER COMPANY, GOODWEAR TIRE & RUBBER COMPANY (rf,) (Entered: 11/13/2017)
11/14/2017	<u>22</u>	ORDER THAT MOTION TO STRIKE PLAINTIFFS REPLY (DOC. 15) IS GRANTED IN PART AND DENIED IN PART AS OUTLINED HEREIN. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 11/13/17. 11/14/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 11/14/2017)
11/14/2017	<u>23</u>	ORDER THAT MOTION TO TRANSFER THE ACTION (DOC. 2) IS DENIED WITHOUT PREJUDICE. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 11/13/17. 11/14/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf,) (Entered: 11/14/2017)
11/14/2017	<u>24</u>	RESPONSE in Opposition re <u>8</u> MOTION to Remand to the <i>Court of Common Pleas of Philadelphia, Addressing Issues Raised at Oral Argument</i> , filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Exhibit A – Wecker v. Nat'l Enameling & Stamping Co., # <u>2</u> Exhibit B – Smoot v. Chi. Rock Island & Pac. R.R. Co., # <u>3</u> Exhibit C – Weaver v. Conrail Inc., # <u>4</u> Exhibit D – Davis v. OneBeacon Ins. Grp.)(KERNER, JUSTIN) (Entered: 11/14/2017)
11/15/2017	<u>25</u>	NOTICE by JACOB SUMMERS, RYSTA LEONA SUSMAN <i>Letter to The Honorable Joel H. Slomsky re: Plaintiffs' Proposed Notice of Videotaped Deposition of Daniel T. Young</i> (Attachments: # <u>1</u> Proposed Notice of Videotaped Deposition of Daniel T. Young)(SHERRY, DANIEL) (Entered: 11/15/2017)
11/15/2017	<u>26</u>	NOTICE by THE GOODYEAR TIRE & RUBBER COMPANY of Objections re <u>25</u> Notice. (KERNER, JUSTIN) Modified on 11/16/2017 (md). (Entered: 11/15/2017)
12/05/2017	<u>27</u>	Transcript of Motion Hearing Proceedings held on 11/13/17, before Judge SLOMSKY. Court Reporter/Transcriber LAWRENCE COURT TRANSCRIPTION.. (rf,) (Entered: 12/06/2017)
03/09/2018	<u>28</u>	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/8/18. 3/8/18 ENTERED AND COPIES MAILED TO UNREP AND EMAILED TO COUNSEL.(jaa,) (Entered: 03/09/2018)
03/09/2018	<u>29</u>	ORDER THAT THE FOLLOWING DEFENDANTS ARE DISMISSED WITH PREJUDICE AS OUTLIED AND IT IS FURTHER ORDERED THAT THE GOODYEAR TIRE AND RUBBER COMPANY IS THE ONLY DEFENDANT REMAINING IN THIS ACTION. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/8/18. 3/9/18 ENTERED AND COPIES MAILED TO UNREP AND EMAILED TO COUNSEL.(jaa,) (Entered: 03/09/2018)
03/15/2018	<u>30</u>	MOTION to Transfer (Renewed Motion to Transfer Action to the United States District Court for the District of Nebraska) filed by THE GOODYEAR TIRE & RUBBER COMPANY, Brief, Declaration, Certificate of Service. (Attachments: # <u>1</u> Brief, # <u>2</u> Declaration of Jay K. Lawrence, # <u>3</u> Declaration of Edward S. Bott, Jr., # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Declaration of Jayne Anderson Risk, # <u>10</u> Exhibit A, # <u>11</u> Exhibit B, # <u>12</u> Text of Proposed Order, # <u>13</u> Certificate of Service)(KERNER, JUSTIN) Modified on 3/16/2018 (md). (Entered: 03/15/2018)
03/22/2018	<u>31</u>	STIPULATION AND ORDER THAT THIS MATTER SHOULD BE TRANSFERRED TO THE U.S. DISTRICT COURT FOR THE DISTRICT OF NEBRASKA. THE CLERK OF COURT SHALL TRANSFER THIS ACTION TO THE USDC FOR THE DISTRICT OF NEBRASKA AND TAKE ALL ACTIONS NECESSARY TO EFFECT SUCH TRANSFER. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/22/18. 3/22/18 ENTERED & E-MAILED.(fdc) Modified on 3/23/2018 (md). (Entered: 03/22/2018)